

Grand Junction, Colorado

October 19, 1983

The City Council of the City of Grand Junction, Colorado, convened in regular session the 19th day of October, 1983, at 7:30 p.m., in the City-County Auditorium, City Hall. Those present were Betsy Clark, Frank Dunn, Robert Holmes, Christine Kreissler, Mike Pacheco, Ray Phipps and President of the Council Gary Lucero. Also present were City Attorney Gerald Ashby, City Manager Jim Wysocki, and Deputy City Clerk Teddy Martinez.

The President called the meeting to order and Councilman Phipps led in the Pledge of Allegiance.

INVOCATION

Councilman Frank Dunn.

MINUTES

Upon motion by Councilwoman Clark, seconded by Councilwoman Kreissler and carried, the minutes of the regular meeting October 5, 1983, were approved as submitted.

REAPPOINTMENT OF JIM PEARCE TO 3-YEAR TERM ON BOARD OF ADJUSTMENT AND APPEALS

Upon motion by Councilwoman Clark, seconded by Councilman Dunn and carried, Jim Pearce was reappointed to a three-year term on the Board of Adjustment and Appeals.

MAYOR SOLICITS NAMES FOR APPOINTMENT TO FORESTRY BOARD, HOUSING AUTHORITY, INDUSTRIAL REVENUE BOND COMMITTEE

PROCLAMATION DECLARING OCTOBER 24 THROUGH 28, 1983, "CHAMBER WEEK"

PROCLAMATION DECLARING NOVEMBER 6 THROUGH 12, 1983, "YOUTH APPRECIATION WEEK"

PROCLAMATION DECLARING NOVEMBER 6 THROUGH 12, 1983, "CONGREGATE AND HOME-DELIVERED MEALS WEEK" (GRAY GOURMET)

LIQUOR - APPLICATION TO RENEW LICENSES APPROVED

Upon motion by Councilman Dunn, seconded by Councilman Phipps and carried with Councilman HOLMES voting NO, the following applications to renew liquor licenses were approved:

G. B. Gladstone's, 2531 N. 12th Street (Hotel-Restaurant)
Orchard Mesa Lanes, 295 27 Road (Hotel-Restaurant)
Barbour's Foresight Liquors, 740 Pitkin Avenue (Retail Liquor Store)
Johnnie's Liquor Store, 1000 N. 5th Street (Retail Liquor Store)

APPLICATION BY ZAPAR, INC. TO REGISTER GERALD D. SCHAEERER AS MANAGER OF OGELVIE'S BAR & GRILLE, 759 HORIZON DRIVE

Upon motion by Councilman Dunn, seconded by Councilman Phipps and carried with Councilman HOLMES voting NO, the application by Zapar, Inc., to register Gerald D. Schaerer as Manager of its hotel-restaurant liquor licensed premises at 759 Horizon Drive was approved.

APPLICATION BY SAFEWAY STORES, INC., TO CHANGE CORPORATE STRUCTURE NAMING HARVEY K. NAITO VICE PRES/TREASURER/STOCKHOLDER

Upon motion by Councilman Dunn, seconded by Councilman Phipps and carried with Councilman HOLMES voting NO, the application by Safeway Stores, Inc., to change corporate structure naming Harvey K. Naito Vice President/Treasurer/Stockholder was approved.

HEARING - PROPOSED ORDINANCE - REZONE FROM B-3 AND RMF-64 TO PB AND ORTHOPEDICS, SPORTS MEDICINE AND FITNESS CENTER FINAL PLAN FOR THE SE CORNER OF 12TH AND WALNUT

A hearing was held after proper notice on the application by Dr. M. Larry Copeland to rezone from B-3 and RMF-64 to PB and Orthopedics, Sports Medicine and Fitness Center Plan for the southeast corner of 12th Street and Walnut Avenue. This is a request to change from Residential Multi-Family Uses and Retail Business Uses to Planned Business uses, and Final Plan on approximately .53 acre. There were no opponents, letters or counterpetitions. Upon motion by Councilman Dunn, seconded by Councilman Phipps and carried, the final plan for the Orthopedics, Sports Medicine and Fitness Center Final Plan located on the southeast corner of 12th and Walnut was approved.

The following entitled proposed ordinance was read: AN ORDINANCE AMENDING THE ZONING MAP, A PART OF CHAPTER 32 OF THE CODE OF ORDINANCES OF THE CITY OF GRAND JUNCTION BY CHANGING THE ZONING OF CERTAIN LANDS WITHIN THE CITY. Upon motion by Councilman Dunn, seconded by Councilman Holmes and carried, the proposed ordinance was passed for publication.

HEARING - ADDENDUM TO DOWNTOWN DEVELOPMENT AUTHORITY MASTER PLAN

A hearing was held after proper notice on the application by the Downtown Development Authority for Addendum to Downtown Development Authority Master Plan. Upon motion by Councilman Dunn, seconded by Councilman Phipps and carried, the Addendum to the Downtown Development Authority Master Plan was approved.

RESOLUTION NO. 60-83 OF FINDINGS & DECISION RE: APPLICATION BY LOCO, INC. FOR 3.2% BEER LICENSE, SALES IN SEALED CONTAINERS, AT LOCO #12, 107 GRAND AVENUE - APPROVED

The following Resolution was read:

RESOLUTION NO. 60-83

OF DECISION ON APPLICATION FOR 3.2% BEER LICENSE BY LOCO, INC.,
FOR LOCO #12 AT 107 GRAND AVENUE, GRAND JUNCTION.

A public hearing having been held on October 5, 1983, on the application by Loco, Inc., for a 3.2% beer license for sales in sealed containers for consumption off-premises for Loco #12 at 107 Grand Avenue, Grand Junction, and the City Council having considered the evidence adduced at said hearing, FINDS:

1. The hearing was held on October 5, 1983, on the application after proper notice thereof under the Beer Code.
2. The survey conducted by the City indicated that the needs of the neighborhood were not being met by other outlets within the neighborhood and there was a need for this outlet in that 148 persons so stated while 96 felt the needs were being met by the other outlets.
3. No one appeared at the hearing in opposition to the granting of the license and no petitions of disapproval were received by the City Council. Petitions bearing 364 signatures in favor of the issuance of the license were received.
4. The characters of the applicants are good as determined by checking done by the Police Department and by letters attesting to their good characters, the applicants being the officers of the corporation making the application.
5. The evidence supports the position that the license should be granted.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GRAND JUNCTION:

That the application of Loco, Inc., for a 3.2% beer license for Loco #12 at 107 Grand Avenue, Grand Junction, be granted.

PASSED and ADOPTED this 19th day of October, 1983.

/s/ Gary A. Lucero

President of the Council

Attest:

/s/ Theresa F. Martinez

Deputy City Clerk

Upon motion by Councilman Phipps, seconded by Councilwoman Clark with Councilmembers HOLMES and PACHECO voting NO, the Resolution

was passed and adopted as read.

BIDS - AWARD OF CONTRACT - ORCHARD AVENUE STORM SEWER, CANNELL TO 12TH - PARKERSON CONSTRUCTION, INC. - \$68,991.00

Bids were received and opened October 13, 1983, for the Orchard Avenue Storm Sewer, Cannell to 12th Street. Bidders were:

Parkerson Construction, Inc. \$68,991.00
John H. Young Building Contractor \$89,715.00
Franklin Construction Company \$94,607.00
Commercial Services Construction Co., Inc. \$107,748.10

Engineer's Estimate \$68,822.00

Staff recommended award of contract to the apparent low bidder, Parkerson Construction, Inc. Utilities Director Jim Patterson estimated the work will begin in approximately two weeks with completion of the project scheduled within forty-five (45) working days.

Upon motion by Councilman Phipps, seconded by Councilman Pacheco and carried, the bids were accepted and the contract was awarded to Parkerson Construction, Inc., in the amount of \$68,991.00.

Councilwoman Clark requested of Staff that the residents on Orchard Avenue be inconvenienced as little as possible and that the work be done as expeditiously as possible, with much cooperation.

BIDS - AWARD OF CONTRACT - SPRINKLER SYSTEM CONVERSIONS - CLARK & YOUNGER - \$18,000 - EMERSON, WHITMAN, RIVERSIDE & COTTONWOOD MEADOWS PARKS

Upon motion by Councilman Pacheco, seconded by Councilman Dunn and carried, the bid by Clark & Younger to convert from manual to automatic sprinkler systems in Emerson, Whitman, Riverside and Cottonwood Meadows Parks in the amount of \$18,000 was accepted and awarded by Council.

RESOLUTION NO. 61-83 OF FINDINGS AND DECISION RE: PETITION BY HARLAN PELTIER AND ASSOCIATES TO REZONE FM RMF-32 TO P (PARKING) USES ON APPROX .11 ACRE LOCATED S OF BELFORD, W OF 7TH ST - DENIED

The following Resolution was read:

RESOLUTION NO. 61-83

DECISION OF THE PROPOSED REZONING OF LOTS IN BLOCK 17, CITY OF GRAND JUNCTION.

WHEREAS, Jack Payne, Dallas Payne and Charles Kane have petitioned the City Council for a change in zoning from RMF-32 to P (Parking) on Lots situate in the City of Grand Junction, Mesa County,

Colorado, described as:

The E2 of Lot 9 and all of Lot 10, CITY OF GRAND JUNCTION;

and

WHEREAS, hearing was held on the application on September 23, 1983, before the City Council; and

WHEREAS, having considered the evidence adduced at said hearing and the evidence present in the City file relating to the application, the City Council FINDS:

1. The hearing was properly held after due notice.
2. The City Planning Commission opposed the change in zoning because it represented an encroachment of a business use into a residential neighborhood and because of some of the neighborhood concerns.
3. The Planning Staff recommended against the granting of the rezoning because of encroachment into the residential zone because the 7th Street Corridor Policy is that existing uses and zones be maintained and previous applications on this parcel of land have been denied, and because of neighborhood concern about traffic within the neighborhood which would be generated by this rezoning which might still not provide the requisite parking needed by the bank proposal.
4. Neighborhood opposition was expressed on the question of traffic, the encroachment and the concern that each would contribute to lowering property values in the neighborhood.
5. A similar rezoning for parking had been granted across the street to the north of the site proposed for rezoning, and no apparent ill effects came from that use of the land, somewhat similarly situated.
6. The expansion of a business use into the residential district is the minimal manner in which expansion may occur. The use of the bank site is proper under present zoning and under the 7th Street Corridor Policy.
7. The parking zone can provide a more appropriate buffer between the permitted business use and the abutting residential zone.
8. The rezoning is in the interest of the public peace, health and safety and should be granted.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GRAND JUNCTION:

That the rezoning of the above lands to P (Parking) should be approved by Ordinance.

PASSED and ADOPTED this _____ day of October, 1983.

President of the Council

Attest:

Deputy City Clerk

It was moved by Councilman Dunn and seconded by Councilman Pacheco that the Resolution be passed and adopted as read. Roll was called upon the motion with the following result:

COUNCILMEMBERS VOTING YES: DUNN, LUCERO

COUNCILMEMBERS VOTING NO: HOLMES, KREISSLER, PACHECO, CLARK

COUNCILMEMBERS ABSTAINING: PHIPPS.

The President declared the motion lost and the Resolution failed to pass.

PROPOSED ORDINANCE - ISSUANCE OF TAX INCREMENT FINANCING BOND ANTICIPATION NOTES

The following entitled proposed ordinance was read by title only: AN ORDINANCE AUTHORIZING THE ISSUANCE OF CITY OF GRAND JUNCTION, COLORADO, TAX INCREMENT BOND ANTICIPATION NOTES, DATED DECEMBER 1, 1983, IN THE AGGREGATE PRINCIPAL AMOUNT OF \$1,250,000, FOR THE PURPOSE OF PROVIDING PUBLIC IMPROVEMENTS DESIGNED TO IMPROVE TRAFFIC AND PEDESTRIAN CIRCULATION WITHIN THE DOWNTOWN AREA. Upon motion by Councilman Pacheco, seconded by Councilwoman Kreissler and carried, the proposed ordinance was passed for publication.

ORDINANCES ON FINAL PASSAGE PROOFS OF PUBLICATION

Proofs of Publication on the following Ordinances proposed for final passage had been received and filed. Copies of the Ordinances proposed for final passage had been submitted in writing to the City Council.

ORDINANCE NO. 2149 - HOUSTON ENCLAVE ANNEXATION, NW CORNER OF 251/2 ROAD AND INDEPENDENT AVENUE

Upon motion by Councilwoman Kreissler, seconded by Councilman Pacheco and carried, the following entitled proposed ordinance was called up for final passage and the title only was read: AN ORDINANCE ANNEXING TERRITORY TO THE CITY OF GRAND JUNCTION.

There were no comments. Upon motion by Councilman Pacheco,

seconded by Councilwoman Clark and carried by roll call vote, the Ordinance was passed, adopted, numbered 2149, and ordered published.

ORDINANCE NO. 2150 - VACATING RIGHTS-OF-WAY AND EASEMENTS IN ORCHARD MESA HEIGHTS SUBDIVISION

Upon motion by Councilwoman Kreissler, seconded by Councilman Pacheco and carried, the following entitled proposed ordinance was called up for final passage and the title only was read: AN ORDINANCE AMENDING ORDINANCE NO. 2012 OF THE CITY IN WHICH CERTAIN RIGHTS-OF-WAY AND EASEMENTS WERE VACATED IN ORCHARD MESA HEIGHTS SUBDIVISION.

There were no comments. Upon motion by Councilwoman Kreissler, seconded by Councilwoman Clark and carried by roll call vote, the Ordinance was passed, adopted, numbered 2150, and ordered published.

RESOLUTION NO. 62-83 ADOPTING PEDESTRIAN CIRCULATION PLAN FOR DOWNTOWN AS AN ADDENDUM TO THE MASTER PLAN AND THE ZONING & DEVELOPMENT CODE CRITERIA FOR PLANNED DOWNTOWN DEVELOPMENTS - APPROVED

The following Resolution was read:

RESOLUTION NO. 62-83

A RESOLUTION ADOPTING THE DOWNTOWN PEDESTRIAN CIRCULATION PLAN AS AN ADDENDUM TO THE DOWNTOWN DEVELOPMENT STRATEGY, AN ELEMENT OF THE CITY'S MASTER PLAN AND AS AN ADDENDUM TO THE PLANNED DOWNTOWN DEVELOPMENT MANUAL.

WHEREAS, as the result of planning and evaluation of the downtown area, the Downtown Development Strategy was adopted by this Council as an element of the master plan of the City of Grand Junction, Colorado, on December 2, 1981, and

WHEREAS, the Grand Junction, Colorado, Downtown Development Authority, the City Planning Department, and City Staff have continued to study, evaluate, and propose planning and development studies for the downtown area, and

WHEREAS, as a result of the combined activities of the Grand Junction, Colorado, Downtown Development Authority and the City Planning Department, a modification of the City zoning ordinance was adopted to establish a planned downtown development zoning alternative within the downtown area, and

WHEREAS, to implement such planned downtown development zone, a Planned Downtown Development Manual was adopted by this Council on April 20, 1983, and

WHEREAS, after studies funded by a grant received from the

Colorado Department of Local Affairs through the cooperation of the University of Colorado Center for Community Development and Design, a Downtown Pedestrian Circulation Plan was developed, and

WHEREAS, such Downtown Pedestrian Circulation Plan has been examined by the City Planning Department and approved by them for inclusion as an addendum to the Downtown Development Strategy, an element of the Master Plan of the City of Grand Junction, Colorado, and as an addendum to the Planned Downtown Development Manual,

NOW, THEREFORE, BE IT RESOLVED:

1. The downtown pedestrian circulation plan, a copy of which is attached hereto and incorporated herein as Exhibit "A", is hereby adopted as an addendum to the Downtown Development Strategy, an element of the Master Plan of the City of Grand Junction, Colorado;

2. The downtown pedestrian circulation plan is hereby adopted as an addendum to the Downtown Development Manual, and, as such, shall be given due consideration in applying the criteria established in the Downtown Development Manual.

INTRODUCED, READ, PASSED and ADOPTED this 19th day of October, 1983.

/s/ Gary A. Lucero

President of the Council

Attest:

/s/ Theresa F. Martinez

Deputy City Clerk

Upon motion by Councilman Phipps, seconded by Councilwoman Kreissler and carried by roll call vote, the Resolution was passed and adopted as read.

RESOLUTION NO. 63-83 DEFINING OTHER ACCEPTABLE MEANS OF PROVIDING PARKING IN THE PLANNED DOWNTOWN DEVELOPMENT ZONE - APPROVED

The following Resolution was read:

RESOLUTION NO. 63-83

DEFINING AN ACCEPTABLE ALTERNATIVE TO PARKING REQUIREMENTS UNDER THE ZONING AND DEVELOPMENT CODE IN THE DOWNTOWN TAX INCREMENT FINANCING DISTRICT.

WHEREAS, the Grand Junction Zoning and Development Code in 5-5-1(a) requires certain minimum parking requirements unless

otherwise acceptably provided; and

WHEREAS, the Grand Junction, Colorado, Downtown Development Authority, through the use of a Tax Increment Financing District, has proceeded to improve downtown parking and circulation patterns; and

WHEREAS, there exists within the Grand Junction Zoning and Development Code a procedure for planned downtown developments whereby compliance with certain stated criteria leads to a reduction in parking requirements; and

WHEREAS, it appears appropriate to define, in the context of the Zoning and Development Code, some methods by which parking could otherwise be acceptably provided in the planned downtown development zone.

THEREFORE, BE IT RESOLVED, that:

1. In the case of any individual using planned downtown development zoning and following the appropriate process, that individual may reduce the number of parking spaces required under the Zoning and Development Code by the payment of funds to the Tax Increment Revenue Fund.

2. The amount required to reduce the parking shall be determined by calculating a per-space cost, which is hereby established at \$5,500 per space, and reducing the parking requirement by the total amount paid divided by the per-space cost.

3. Such payment shall be made directly to the Tax Increment Revenue Fund and held for payment of note or bond indebtedness related to the provision of public parking.

4. The per-space costs may be changed or modified by the Council based upon changes in the average cost per space in the downtown area, and such changes or modification by the Council shall not be made more frequently than once in any twelve month period.

INTRODUCED, READ, PASSED and ADOPTED this 19th day of October, 1983.

/s/ Gary A. Lucero

President of the Council

Attest:

/s/ Theresa F. Martinez

Deputy City Clerk

Upon motion by Councilwoman Kreissler, seconded by Councilman Pacheco and carried by roll call vote, the Resolution was passed

and adopted as read.

RESOLUTION NO. 64-83 AUTHORIZING CONVEYANCE OF CITY-OWNED LANDS TO
HAMBRIGHT CORPORATION - APPROVED

The following Resolution was read:

RESOLUTION NO.64-83

AUTHORIZING CONVEYANCE OF CITY-OWNED LANDS TO HAMBRIGHT
CORPORATION.

WHEREAS, Lots 7, 8 and 9 in Block 101, City of Grand Junction, are
owned by the City of Grand Junction and are not used or held for
park or governmental purpose; and

WHEREAS, the Hambright Corporation has offered to purchase the
lots as a part of a transaction which is beneficial to the City;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF
GRAND JUNCTION:

That the City Manager, James E. Wysocki, as Commissioner to
Convey, be authorized and directed to convey to Hambright
Corporation the lots described, as the act of the City, by
Warranty Deed, said lots being in County of Mesa, State of
Colorado.

PASSED and ADOPTED this 19th day of October, 1983.

/s/ Gary A. Lucero

President of the Council

Attest:

/s/ Theresa F. Martinez

Deputy City Clerk

Upon motion by Councilman Phipps, seconded by Councilman Pacheco
and carried by roll call vote, the Resolution was passed and
adopted as read.

ESTABLISHMENT OF FEE CONTRACT FOR ARCHITECT - POLICE BUILDING
EXPANSION VAN DEUSEN & ASSOCIATES - BUILDING DESIGN, LANDSCAPING,
PROGRAMMING - \$45,000

Upon motion by Councilman Phipps, seconded by Councilman Pacheco
and carried with Councilwoman KREISSLER voting NO, the contract
for the building design, landscaping and programming for the
proposed remodeling of the Police Building was awarded Van Deusen
& Associates in the amount of \$45,000, and the City Manager was
authorized to sign said contract.

COMPREHENSIVE PLANNING

Mayor Lucero announced that the City of Grand Junction is doing some comprehensive planning with the initial meeting for citizen input on October 25, 1983, in the City-County Auditorium at 7:30 p.m.

WASHINGTON, D.C., TRIP

Councilman Dunn recapped his trip to Washington, D.C., and was in awe of all the spectacular sights and historical landmarks. The purpose of the trip was to discuss budgets.

AIRPORT AUTHORITY

Councilman Dunn announced tomorrow morning's Airport Board Meeting. Mr. Dunn is very pleased with the Airport's new manager, Mike Boggs. Mr. Boggs has inherited a lot of work and is doing a fantastic job, and is a very able administrator, according to Mr. Dunn.

ENERGY MEETING

Councilwoman Clark attended an Energy Meeting on Saturday, October 15, 1983, with Congressman Kogovsek as speaker.

COMMUNITY DEVELOPMENT BLOCK GRANT WORKSHOP

Councilwoman Clark attended a Community Development Block Grant workshop on October 18, 1983, conducted by the State, and reported that Western Colorado communities were encouraged to pursue some of said funds for community projects.

CML MEETING

Councilwoman Clark attended a CML Board meeting in Delta. The main thrust of the meeting was the response to the State Legislature and that the efforts that were put forth in the Staff were fairly successful in protecting the cities in legislation. A CML Legislative Policy Meeting will be held in Denver on October 20, 1983; Councilwoman Kreissler will report after attending that meeting.

ILLEGAL USE OF MUD BIKES AND DUNE BUGGIES ON CITY STREETS

Councilman Holmes discussed the apparent increase in illegal use of mud bikes and dune buggies in residential areas, often times unlicensed and driven by persons that are not licensed, and using City streets and alleys for testing the durability and speed of these vehicles, and definitely causing safety and noise hazards. He requested that the City Manager discuss this problem with the Police Department.

DDA

Councilwoman Kreissler reported that the DDA has been meeting in special sessions. The DDA is working on a replacement to fill the position of Downtown Development Authority Director.

Councilman Pacheco noted the resignation of Skip Grkovic as Downtown Development Authority Director and thanked him for his efforts and accomplishments over the years. Mr. Grkovic will be taking a position in Hollywood, Florida.

AIM

Councilman Pacheco reported that the AIM Committee is beginning a study for the County on the possibility of establishing a better process for recreation and parks in the area. Information was obtained from the City and County Staff on park budgets and park master plans, etc.

BUDGET

Mayor Lucero reported that the Budget is moving right along and felt that completion should take place in approximately two weeks.

WAYNE ASPINALL

Mayor Lucero requested a moment of silence in memory of Wayne Aspinall, a citizen that meant so much to Western Colorado and the United States.

ADJOURNMENT

The President adjourned the meeting.

Theresa F. Martinez

Theresa F. Martinez
Deputy City Clerk